

3738



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE #11

In re Application of) Group Art Unit: 3738
BAIKOFF, Georges et al.)
Serial No.: 09/833,958)
Filed: April 12, 2001)
For: SCLERAL EXPANSION SEGMENT)

RESPONSE REGARDING NOTICE OF ABANDONMENT
AND EVIDENCE OF RESPONSE TO OFFICE ACTION

RECEIVED

Commissioner for Patents
Washington, D. C. 20231

MAY 19 2003

TECHNOLOGY CENTER R3700

Dear Sir:

In response to the Notice of Abandonment dated 04/09/2003 for failure to file a response to the office action of September 25, 2002, attached is a copy of our response dated March 24, 2003 in this matter. The response was mailed on March 24, 2003 which is one day prior to the response due date. Also attached is a copy of the post card receipt which bears the official stamp of receipt of the Patent and Trademark Office. Since the response in this matter was indeed filed on time, it is requested that the application be revived immediately.

No fee is believed due in connection with this communication. If, however, any fee is owed, the Commissioner is

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hereby authorized to charge payment of the fee associated with this communication to Deposit Account No. 19-2090.

Respectfully submitted,

SHELDON & MAK

Date: April 24, 2003

By: Denton L. Anderson
Denton L. Anderson
Reg. No. 30,153

225 S. Lake Ave., 9th Flr.
Pasadena, CA 91101
(626) 796-4000

I hereby certify that on April 24, 2003, I deposited with the U.S. Postal Service this package, addressed to the COMMISSIONER FOR PATENTS, Washington, D.C. 20231.



Norman Anderson



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Group Art Unit: 3738
GEORGES BAIKOFF ET AL.) Examiner: Phan, H.
Serial No.: 09/833,958)
Filed: April 12, 2001)
For: SCLERAL EXPANSION SEGMENT)

PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D. C. 20231

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MAY 19 2003

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Dear Sir:

This Preliminary Amendment and Response to Restriction Requirement is being made in response to an Office Action mailed September 25, 2002.

AMENDMENT

In the Claims

Set forth below are each of presently existing claims 1-14 (none of which have been amended herein) and new claims 15-20. Because claims 1-14 were not amended herein, there are no

"separate pages" filed herewith showing where changes to the existing claims 1-14 have been made.

1. Scleral expansion segment of the type consisting of an arched rod designed to be placed on the sclera perpendicular to the ciliary body, characterized in that the free ends of said rod have a spatula shape wider than the diameter of said bridge, so as to constitute wide support basis.

2. Segment according to Claim 1, characterized in that the basis, seen in longitudinal section, have a radius of curvature R1 corresponding to that of the sclera perpendicular to the ciliary body, when the bridge has a radius of curvature R2 less than R1.

3. Segment according to Claim 2, characterized in that it is made in at least two parts interlocking with each other.

4. Segment according to Claim 3, characterized in that it consists, on one side, of a bridge, one end of which is integral with a base, and, on the other, of a removable base, and in that complementary means of attachment are placed between the free end of the bridge and the removable base.

5. Segment according to Claim 4, characterized in that the means of attachment carried by the end of the bridge is harpooned-shaped, while the means of attachment carried by the free base is a female cavity matching said harpoon, means being provided to prevent any rotation of the free base relative to the bridge.

6. Segment according to Claim 4, characterized in that the means of attachment of the free base on the end of the bridge consist of a hole cooperating with a boss, said means being placed on the top of the free base and on the bottom of the free end of the bridge.

7. Segment according to Claim 6, characterized in that the bases are situated on both sides of the median longitudinal axis of the segment.

8. Segment according to Claim 5, characterized in that the part of the bases situated on the median longitudinal axis of the segment presents a concavity directed downward crosswise to said axis.

9. Segment according to Claim 8, characterized in that the bridge presents in section a transverse concavity directed downward.

10. Segment according to Claim 9, characterized in that it presents a multitude of perforations.

11. Segment according to Claim 10, characterized in that it is coated with a biocompatible synthetic material with porous surface.

12. Segment according to Claim 11, characterized in that it consists of a core of deformable material with shape memory, sunk in a layer of soft material.

13. Segment according to Claim 12, characterized in that the core consists of an injectable product.

14. Segment according to Claim 13, characterized in that it has an internal canal intended for placement of a core, the nature and strength of which can be chosen in order to adjust the effect of the scleral expansion segment.

Please add the following new claims:

15. A vision corrective element for implantation in the sclera perpendicular to the ciliary body, the vision corrective element comprising an arched segment having a length, a width, a thickness, a central bridge portion, a first end portion and an opposed second end portion, each of the end portions having a width greater than their thicknesses and greater than the width of the bridge portion.

16. The vision corrective element of claim 15 wherein the first end portion is integral with the bridge and the second end portion is removable from the bridge.

17. The vision corrective element of claim 16 wherein the first end portion is fork-shaped.

18. The vision corrective element of claim 16 wherein the second end portion comprises a face recess in which the bridge is engaged.

19. The vision corrective element of claim 18 wherein the second end portion comprises an aperture sized and dimensioned to be engaged by a corresponding male portion on the bridge portion.

20. The vision corrective element of claim 16 wherein the second end portion has recesses on its upper face forming a gripping point for insertion tools.

Response to Restriction Requirement

Applicants hereby elect Specie 4 (Figures 10 and 11) as defined in the Restriction Requirement dated September 25, 2002. Applicants believe that new claims 15-20 are readable on this Specie 4.

REMARKS

Applicants herein respond to the Restriction Requirement mailed September 25, 2002.

Additionally, applicants have added new claims 15-20, each of which reads on the Specie elected in applicants' response to the Restriction Requirement. No new matter has been added in the preparation of these additional claims, full support being found for these claims throughout the originally-filed specification, drawings and claims.

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CONCLUSION

Applicants believe that this document is fully responsive to the Restriction Requirement mailed September 25, 2002. Applicants request that new claims 15-20 be entered herein and that this application be duly examined in its proper turn.

Respectfully submitted,

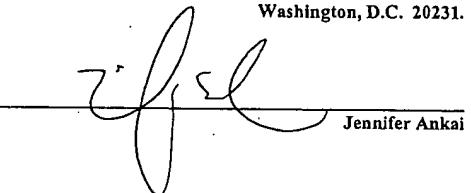
SHELDON & MAK

Date: March 24, 2003

By: Denton L. Anderson
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Jennifer Ankai